



CANNON BUILDING
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STATE OF DELAWARE
BOARD OF HOME INSPECTORS

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PUBLIC MEETING NOTICE:	BOARD OF HOME INSPECTORS
DATE AND TIME:	Tuesday, November 12, 2013 2013 at 9:30 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, DE Cannon Building, Second-Floor Conference Room A
APPROVED:	December 16, 2013

MEMBERS PRESENT

Donald E. Pyle, Sr., Professional Member, Chair
Dennis Theoharis, Public Member, Vice Chair
Tim Harriger, Professional Member
Joyce Edwards, Public Member

MEMBERS ABSENT

None

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Singh, Deputy Attorney General
Amanda McAtee, Administrative Specialist II
Bob Powers, Administrative Specialist II

PUBLIC PRESENT

Okechukwu Amachi
Wes Mast

CALL TO ORDER

Mr. Pyle called the meeting to order at 9:40 a.m.

Election of Officers

Election of Officers was included on the agenda in error. Election was held at the October 10, 2013 meeting.

REVIEW AND APPROVAL OF MEETING MINUTES

The Board reviewed the meeting minutes from the October 10, 2013 meeting. Mr. Theoharis made a motion, seconded by Mr. Pyle, to approve the minutes. The motion carried unanimously.

UNFINISHED BUSINESS

Final Denial – Shawn Watson

Ms. Singh summarized the proposal to deny case for Mr. Watson. Ms. McAtee stated that Mr. Watson had received a proposal to deny letter from the Board and did not request a hearing. Mr. Pyle made a motion, seconded by Ms. Edwards, to deny the home inspector reciprocity application of Shawn Watson application. The motion carried unanimously.

Discussion of December 2013 meeting date and 2014 Board meeting dates

Ms. McAtee proposed to move the regularly scheduled meetings to the seconded Tuesday of every month at 9:00 a.m. due to Ms. Edwards's availability. Additionally, the Board discussed moving the regularly scheduled meeting of Wednesday, December 11, 2013 to Monday, December 16, 2013 at 9:30 a.m. in order to maintain a meeting quorum. Mr. Pyle made a motion, seconded by Mr. Theoharis, to approve the proposed Board meeting date changes. The motion carried unanimously.

Review and Discussion of Current Supervisor Requirements

Mr. Pyle summarized the letter from AmeriSpec which requested that the number of supervised inspections be dropped to 50 for home inspector trainees. Mr. Pyle felt that the supervisor should at least be present for part of the inspection to walk through and opposed the notion of the supervisor to not be present and only available for questions by telephone. Mr. Pyle felt that 50 supervised inspections would not be enough experience for a new home inspector. Mr. Pyle summarized that the Board mutually felt that in order to protect the public the supervisor/trainee Rules and Regulations should not be amended.

Discussion of the New Castle County Board of Realtors Contract with Regards to Home Inspection

Mr. Pyle referenced item 21 in the Delaware Residential Property Agreement of Sale contract which included language that the home inspection could be performed by a "home inspection company and/or by a licensed contractor/professional of Buyer's choice at Buyer's expense." Ms. Singh felt that the wording of the contract was contrary to Delaware State Law. Ms. Singh stated that she would draft a letter to address this issue with the New Castle County Board of Realtors and this would be added to the December 13, 2013 meeting agenda.

NEW BUSINESS

Ratification of Issued Home Inspector Licenses

Mr. Theoharis made a motion, seconded by Mr. Harriger, to ratify the list of home inspector licenses listed below. The motion carried unanimously.

James P Butler	Fidel Esposito	Larry Barrow	Ralph J D'Angelo
Eric Y Korpon	Parris Bradley	Andrew D Pyle	John Martin
Mark F Desmond	William J Stecher	John E Godron	Steven Szypulski
Sean P Hinderer	Alan C Hoffman	Frank E Hendron	Robert Clarak
Ronald H Hamblin	Matthew T Bonk	Alan G Fastman	Ron Bruno
Clayton L Ridings	Robert F Stock	Jeffrey C Pace	Earle Dempsey
Joseph R Schwab	William Dennis	Alan Scott Donnelly	Anthony Eugene Gallo Jr
Roman P Korobij	Mark T Shepherd	Daniel H Shewell	Robert F Smith
Todd Tuvell	Daniel B Warman	George E Purse	Dale E Martin Jr
Peter Weber	Bruce Bowman	Scott Freeman	

Ratification of Issued Home Inspector Trainee Licenses

Mr. Theoharis made a motion, seconded by Mr. Pyle, to ratify the list of home inspector trainee licenses listed below. The motion carried unanimously.

Kenneth M Horkey
Todd A Williams

Ms. McAtee questioned if the Board would delegate authority to the Division of Professional Regulation to issue home inspector trainee licenses between meetings as long as the applicant had a “clean application.” After discussion, Mr. Pyle made a motion, seconded by Ms. Edwards, to delegate authority to the Division of Professional Regulation to issue home inspector trainee licenses between meetings, any licenses issued would appear on the Board’s next agenda for ratification. The motion carried unanimously.

Review of Applications – Grandfather Clause

Jeremy Martin

Ms. Singh summarized the criminal background check for Jeremy Martin. Ms. Singh stated that since the conviction was more than five years old the Board could either grant a waiver or propose to deny the application. After discussion, Mr. Theoharis made a motion, seconded by Ms. Edwards, to approve the waiver of the conviction and issue the license to Jeremy Martin. The motion carried unanimously.

Amachi Okechukwu

Ms. McAtee summarized the application for Mr. Okechukwu. Mr. Okechukwu only provided a listing of 110 Delaware households inspected. Ms. Singh stated that he would be able to act as a home inspector under his Professional Engineer license, but he was not qualified to call himself a licensed home inspector or able to obtain a home inspector license under his current qualifications. Mr. Pyle briefed the applicant on the reasoning and counseled him on how to obtain a home inspector trainee license. Mr. Okechukwu was present at the meeting and made an oral amendment to his application to be considered as a trainee applicant. Ms. McAtee stated that Mr. Okechukwu would need to submit an amendment to his application by filling out the trainee application; he would not have to pay an additional fee. Ms. Edwards made a motion, seconded by Mr. Harriger, to approve the amendment of his application contingent on Mr. Okechukwu submitting a trainee application. The motion carried unanimously.

Kurt Brown

Ms. McAtee summarized the application for Mr. Kurt Brown. Mr. Brown verified his own employment and DPR had requested copies of tax forms from the previous five years in order to verify that he was met the grandfather clause requirements. Mr. Brown replied that his tax information showed him as a real estate appraiser and not a home inspector because he provided both services. He also did not carry E&O insurance for home inspection and intended to purchase if he was granted licensure.

Mr. Theoharis questioned if the Board could request the applicant to provide a log of home inspections. Ms. Singh stated that Board could request a log of inspections and had the right to review reports from the log if desired. Mr. Pyle made a motion, seconded by Mr. Theoharis, to table the application and request Mr. Brown submit a log of 250 home inspections performed before the grandfather period began. The motion carried unanimously.

Karl Brown

Ms. McAtee summarized the application of Mr. Karl Brown. After the Board reviewed the application and letter Mr. Brown wrote to the Board, it was apparent that he did not meet the grandfather provision requirements because he had not completed 250 home inspections and did not have five years of home inspection experience. Mr. Theoharis made a motion, seconded by Ms. Edwards, to propose to deny the application of Karl Brown for licensure as a home inspector by grandfather provision. The motion carried unanimously.

Review of Applications – Endorsement

Roger Weaver

Ms. McAtee summarized the application of Mr. Roger Weaver. Mr. Weaver was applying by endorsement from the state of Pennsylvania and Pennsylvania did not have a state licensing Board. Mr. Pyle made a motion, seconded by Mr. Harriger, to propose to deny the endorsement application of Roger Weaver because he did not meet the statutory qualifications for applying as a home inspector by endorsement. The motion carried unanimously.

William DeLauder

Ms. McAtee summarized the application of Mr. William DeLauder. Mr. Theoharis reviewed the home inspector licensing statute of North Carolina and stated that he felt they were substantially similar to the State of Delaware. Ms. McAtee stated that Mr. DeLauder had been licensed for more than five years in the State of North Carolina so even if the state was not substantially similar the Board could grant him a license by endorsement. After discussion and review, Mr. Pyle made a motion, seconded by Mr. Theoharis, to approve the endorsement application of William DeLauder for licensure as a home inspector. The motion carried unanimously.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

Mr. Pyle brought up an issue regarding Federal Grants for home buyers. He stated that the way the grant was worded; the home inspector would only get paid if the purchaser closed on the home. Additionally, the home inspector would then have an interest in the home closing. Ms. Singh stated that a home inspector should be covered under their Code of Ethics and to sign off on a house that was not good to go, would subject the home inspector to disciplinary actions by the board.

Mr. Pyle felt that the Board needed to revisit the Standards of Practice and the Code of Ethics, due to December's full agenda; the topic would be placed on the January agenda.

PUBLIC COMMENT

Mr. Mast questioned if there was a standard "Standard of Practice" and "Code of Ethics" that could be applied to the home inspection report as required. Ms. McAtee stated that both sections were contained in the Board's Rules and Regulations but she could combine the two sections into a standalone piece that the Division of Professional Regulation could place on the website.

NEXT MEETING

The next Board meeting will be at **9:30 a.m. on Monday, December 16, 2013 in Conference Room A** located on the second floor of the Cannon Building at 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business to discuss, Mr. Pyle made a motion, seconded by Ms. Edwards, to adjourn the meeting at 11:50 a.m. The motion carried unanimously.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', written in a cursive style.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.